

FAX TO: 703-308-8623

page 1 of 4

*2/9/99*US PATENT & TRADEMARKS OFFICE
OFFICE OF THE SOLICITORJune 8th, 199911017 NE 124th Ave.,
Vancouver, WA 98682-1624
Phone/Fax 360-256-9160
E-Mail : SIMPLAR@PACIFIER.COM

re: US 5875700 - fraud on the PTO

filed: Nov. 17th, 1997issued: March 2nd, 1999

inventor: Robert A. Powell, Camas, WA 98607

Dear Sir / Madam:

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This will inform you that the above issued Patent was fraudulently obtained by Mr. Powell by willfully filing a false Patent Application Declaration and by willfully withholding disclosure of Prior Art from the PTO.

Please refer to enclosed 'EXHIBIT 10/a' and to 'EXHIBIT 10/b', a duly sworn and notarized affidavit, indicating both undisclosed prior art known to Mr. Powell in March 1997, as well as his willfully false declaration of original invention on his November 17th, 1997 Patent Application. Note also page 4 'Abstract' US 5875700, where drawing 'reads' on 'EX. 10/b'.

I have a pending utility Patent Application (09/035,936) on this invention and have contacted you following discussion with examiner H. Shackelford for possible prosecution of Mr. Powell under Title 18, US Code, Section 1001, due to the flagrant nature of this case.

It should be further pointed out that the enclosed affidavit represents only a small fraction of available evidence (both witnesses and documentary) which can be provided to your office to press charges.

Sincerely,

Eckhard Bernandy

enclosures

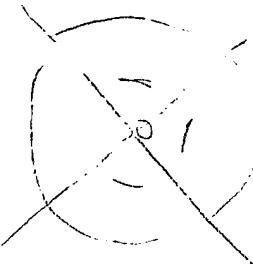


EXHIBIT 10/a

STATEMENT OF FACTS

This statement will affirm that:

On March 12th, 1997 and on March 13th, 1997 and on March 14th, 1997, at the annual PORTLAND WOOD TECHNOLOGY CLINIC & SHOW, held at the OREGON CONVENTION CENTER of PORTLAND Mr. Eckhard (Eyck) Bernardy, owner of SIMPLAR™ CO, publicly did display examples of his SIMPLAR SHREDDER™ brush blade, as well as a narrated video showing the blade in use and a promotional flyer, including text and a realistic artistic rendering of the above brush blade, through Mr. and Mrs. Robert Powell, owners of PEFORMANCE QUALITY SAW SHOPS, INC. who were acting as promotional agents on behalf of Mr. Bernardy and his SIMPLAR™ CO product.

Mr. Bernardy personally demonstrated his novel SIMPLAR SHREDDER™ brush blade, the promotional video and the promotional flyers to GRASCHE USA President Mr. Dieter H. Bialek and to GRASCHE Sales Manager Mr. Connell A. Wittkopp, as well as to myself. This demonstration was done openly and publicly on March 14th, 1997 and resulted in a business relationship between GRASCHE USA and SIMPLAR™ CO for the production of blade stock for the SIMPLAR SHREDDER™ blade, with my own firm, VOIGHT ENTERPRISES, INC, as Manufacturer's Representative on behalf of GRASCHE USA.

The attached photocopy of the promotional flyer, labeled EXHIBIT 10/b is a true and correct copy of the original promotional flyers distributed publicly during the above cited days of the PORTLAND WOOD TECHNOLOGY SHOW & CLINIC.

I hereby solemnly affirm that the statements contained in this affidavit are true, to the best of my knowledge and belief.

Signed: Andrew J. Feucht II, this day March 24, 1999
Andrew J. Feucht II, President, Voight Enterprises, Inc.
23801 NE 53rd Street, Vancouver, WA 98682
360-253-9789 * 800-426-9346 * FAX 360-253-3976

State of Washington
County of Clark

Signed or attested before me on May 24 1999, by

Andrew J. Feucht II

Jane H. Welch
(Signature of Notary Public)

Ass't. Vice-President
(Seattle First Bank) Title

My appointment expires 2002



EXHIBIT 10/bTHE SHORT STORYBEHIND THE**Simplar™**

PATENTED

SHREDDER

BRUSH BLADE...

'NECESSITY has always been the MOTHER of INVENTION' - the inventor of this unique blade found it true again... While brush cutters could be bought which will easily shred a big blackberry right on the spot - until now! Anyone who has had to deal with blackberry knows what to try and get rid of them! The inventor had the same problem but could not buy a blade on the market that was up to the job! Every manufacturer in this line offers several blades for work very well...

Many blades are just modified saw blades without any shredding capability whatsoever. You can cut with these so-called 'brush blades' have fewer no longer saw. They also shred poorly horizontally. A very popular blade, can actually shred somewhat, but due to this modified triangle it also cannot saw... and worse: any stick bigger than your 'little pinkie' will stop this blade cold! Period.

and the in-motorized singleblade pile of

a job it is problem but to the job! brushcutting -

Nothing else that works well exists; until now that is!

The SIMPLAR SHREDDER™ blade has none of the above limitations. It is first a very capable saw blade. Multiple individual cutting elements insure superbly smooth, repetitive cuts up to three inches in depth. That's more than adequate for most types of work. But there is much more to this blade! Integrally formed 'WING CUTTERS™' act like several additional saw blades. Conventional blades can only cut horizontally - and offer no shredding. However, the addition of 'WING CUTTERS™' completely changes that! Now the blade can both cut horizontally and vertically!! This gives the operator choices. He can now cut or shred as the job requires. Shredding eliminates a lot of consuming labor - and the left over material can be used as mulch, improving soil condition and benefiting the environment...

Please direct inquiries to:

RETAIL INQUIRIES:

PERFORMANCE QUALITY SAW SHOPS, INC.
1414 NE 267th AVE, CAMAS, WA 98607
(360) 834 - 3460

DISTRIBUTOR INQUIRIES:

SIMPLAR CO
11017 NE 124th AVE,
VANCOUVER WA 98682 - 1624
(360) 256 - 9160

US00587570A

United States Patent [19]

Powell

[54] BRUSH CUTTING BLADE

[76] Inventor: Robert A. Powell, 1414 NE 267th Ave., Camas, Wash. 98607

[21] Appl. No.: 971,454

[22] Filed: Nov. 17, 1997

[51] Int. Cl. A01D 34/82

[52] U.S. Cl. 83/837; 83/835; 30/276;
30/347; 56/295; 56/DIG. 20[58] Field of Search 83/837, 835; 30/276,
30/347; 56/255, 295, DIG. 17, DIG. 20

[56] References Cited

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Primary Examiner—M. Radluba

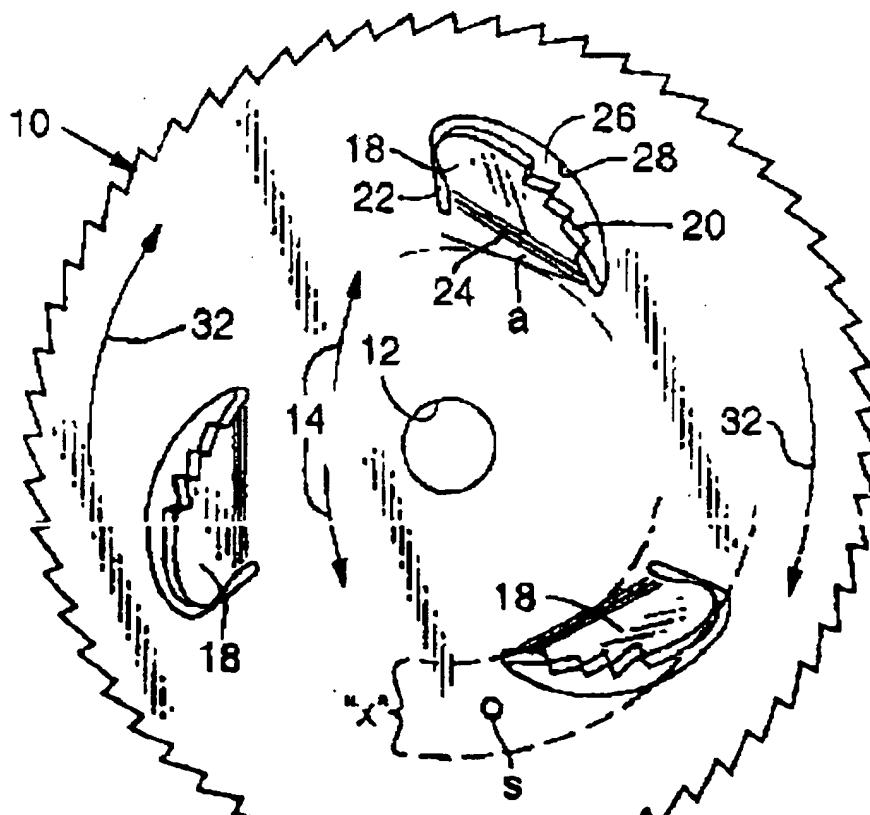
Assistant Examiner—Stephen Choi

Attorney, Agent, or Firm—Robert L. Harrig

[57] ABSTRACT

A circular brush cutting blade with peripher Segments are bent or deflected out of the bl angle to the plane of the blade less than segments are configured to provide an incline for each segment that cuts a laterally extra movement of the blade laterally or axially produced by folding the segments around juncture with the blade body whereby the o the blade created thereby is radially outward

4 Claims, 1 Drawing Sheet



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